

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
KARILL DESROSIERS,

Plaintiff,

-against-

RICARDO ULYSSE and,
RUDY'S LIMOUSINE SERVICE, INC.

Defendants.
-----X

COMPLAINT

JURY TRIAL DEMANDED

Plaintiff, KARILL DESROSIERS, through his attorneys Michael Manoussos & Co PLLC, respectfully alleges at all times herein upon information and belief of the following:

BASIS FOR JURISDICTION AND VENUE

1. Under 28 U.S.C. § 1332(a)(1), this matter in controversy involves diversity of citizenship. Plaintiff, KARILL DESROSIERS, is a resident of New York, Defendant, RICARDO ULYSSE, is a resident of Connecticut and Defendant, RUDY'S LIMOUSINE SERVICE, INC., is a Connecticut business corporation with its principal place of business in Connecticut.
2. Exclusive of interest and costs, the matter in controversy exceeds the sum or value of \$75,000.00.
3. Pursuant to 28 U.S.C. § 1391(b)(2), the event, a motor vehicle accident, occurred in New York County in the State of New York.

JURY DEMANDED

4. Plaintiff demands a trial by jury in this action.

PARTIES

5. Plaintiff, KARILL DESROSIERS, an individual, was and is a resident of the County of Queens, State of New York.
6. Defendant, ULYSSE RICARDO, an individual, was and is a resident of the County of Fairfield, State of Connecticut.

7. Defendant, RUDY'S LIMOUSINE SERVICE INC., is a domestic business corporation of the State of Connecticut, duly organized and existing under and by virtue of the laws of the State of Connecticut and authorized to do business in the State of New York as a foreign corporation.
8. That on or about August 2, 2019, Defendant, RUDY'S LIMOUSINE SERVICE, INC., did and does business in New York City and the State of New York.

TYPE OF CASE

9. This is a personal injury action arising from a motor vehicle accident. It occurred on or about August 2, 2019 at approximately 11:00pm in the County of New York in the State of New York.
10. It is alleged that Defendant was negligent when he attempted to change lanes and struck Plaintiff who was stopped in his lane.
11. As a result of the aforementioned, Plaintiff sustained serious injuries.

AS AND FOR A CIVIL CAUSE OF ACTION FOR NEGLIGENCE

12. That on or about August 2, 2019, Plaintiff was the operator of a motor vehicle, being a 2015 Toyota, bearing New York State license plate no. T759711C.
13. That on or about August 2, 2019, Defendant, RICARDO ULYSSE, was the operator of a motor vehicle, being a 2019 Chevrolet, bearing Connecticut State license plate no. W203081C.
14. That on or about August 2, 2019, Defendant, RUDY'S LIMOUSINE SERVICE, INC., was the title owner of a motor vehicle, being a 2019 Chevrolet, bearing Connecticut State license plate no. W203081C.
15. That on or about August 2, 2019, Defendant, RUDY'S LIMOUSINE SERVICE, INC., was the registered owner of a motor vehicle, being a 2019 Chevrolet, bearing Connecticut State license plate no. W203081C.
16. That on or about August 2, 2019, Defendant, RICARDO ULYSSE, maintained the aforementioned motor vehicle, being a 2019 Chevrolet, bearing Connecticut

State license plate no. W203081C.

- 17.** That on or about August 2, 2019, Defendant, RUDY'S LIMOUSINE SERVICE, INC., maintained the aforementioned motor vehicle, being a 2019 Chevrolet, bearing Connecticut State license plate no. W203081C.
- 18.** That on or about August 2, 2019, Defendant, RICARDO ULYSSE, was the lessee of a motor vehicle, being a 2019 Chevrolet, bearing Connecticut State license plate no. W203081C.
- 19.** That on or about August 2, 2019, Defendant, RUDY'S LIMOUSINE SERVICE, INC., was the lessor of a motor vehicle, being a 2019 Chevrolet, bearing Connecticut State license plate no. W203081C.
- 20.** That on or about August 2, 2019, Defendant, RICARDO ULYSSE, operated a motor vehicle, being a 2019 Chevrolet, bearing Connecticut State license plate no. W203081C, while in the course of employment with the knowledge and consent of Defendant, RUDY'S LIMOUSINE SERVICE, INC.
- 21.** That on or about August 2, 2019, Defendant, RICARDO ULYSSE, while operating a motor vehicle, being a 2019 Chevrolet, bearing Connecticut State license plate no. W203081C, was in the scope of employment and in furtherance of the business authority of Defendant, RUDY'S LIMOUSINE SERVICE, INC.
- 22.** That on or about August 2, 2019, Defendant, RICARDO ULYSSE, while operating a motor vehicle, being a 2019 Chevrolet, bearing Connecticut State license plate no. W203081C, furthered the economic and business interests of Defendant, RUDY'S LIMOUSINE SERVICE, INC.
- 23.** That on or about August 2, 2019, West 49 Street and 8th Avenue, County of New York, State of New York, was a public throughfare used by the general public.
- 24.** That on or about August 2, 2019, the aforesaid vehicles were in contact thereabout.
- 25.** That on or about August 2, 2019, the aforesaid vehicles were in collision thereabout.

- 26.** That on or about August 2, 2019 thereat, Defendants' vehicle struck Plaintiff's vehicle which was stopped in its lane.
- 27.** That the aforesaid accident and the injuries suffered therefrom were caused solely through the negligence, carelessness, and/or recklessness of Defendants in their use, operation, and/or maintenance of the aforesaid motor vehicles without any negligence on part of Plaintiff contributing thereto.
- 28.** That as a result of the described negligence, carelessness, and/or recklessness of Defendants, Plaintiff sustained pain and suffering and serious injuries, requiring medical treatment, and disabling him from his usual activities.
- 29.** That as a result of the aforesaid, Plaintiff sustained a serious injury as defined in Section 5102 of the Insurance Law of the State of New York.
- 30.** That as a result of the aforesaid, Plaintiff sustained economic loss in excess of basic economic loss as defined in Section 5102 of the Insurance Law of the State of New York.
- 31.** That by reason thereof, Plaintiff has been damaged in an amount which exceeds the jurisdictional threshold of \$75,000.00 of this Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests judgment against Defendants as follows:

- 32.** Awarding compensatory damages to Plaintiff.
- 33.** Awarding Plaintiff judgment against Defendant in a sum that exceeds the jurisdictional threshold of \$75,000.00.
- 34.** Awarding Plaintiff reasonable attorneys' fees, costs, and expenses incurred in prosecuting this action.
- 35.** Granting Plaintiff all such other relief as may be just and proper.

Dated: June 21, 2022
Kew Gardens, New York

Yours, etc.
MICHAEL MANOUSSOS & CO PLLC

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